

Ser. No. 10/561,404
Amdt. dated May 14, 2008
Reply to Office Action of March 19, 2008

PATENT
PU030097
Customer No. 24498

Remarks/Arguments

35 U.S.C. §103

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Manson et al. (U.S. Patent No. 6,543,051 B1) ("Manson"), in view of Ganzer et al. (U.S. Patent No. 5, 121,430) ("Ganzer"), in view of Naidoo et al. (U.S. Patent No. 7,185,282 B1) ("Naidoo").

The present invention, as recited by amended claim 1, describes a "television signal receiving apparatus having an emergency alert function, comprising: tuning means for tuning a channel frequency that provides emergency alert signals indicating an emergency event; processing means for enabling an alert output responsive to said emergency alert signals; and a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function."

It is respectfully asserted that Manson, Ganzer, and Naidoo, alone or in combination, fail to disclose "a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function" as described in currently amended claim 1.

Manson teaches "a system for inputting conventional emergency alert messages into a digital subscriber television system. The method allows existing emergency alert equipment to interface with the digital system equipment in the headend of a digital subscriber television system. A unique identifier and the format of the digital emergency alert message allow the input of an emergency alert message and allow for a wide variety of optional data formats, system control options, and data storage options." (Manson Abstract)

The Office Action asserts that Manson "discloses an apparatus, method and television signal receiver having an emergency alert function (Receive Emergency Alert message (402) in figure 4), processing means for enabling an alert output responsive to said emergency alert signals (Application Server (203) in figure 3).

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The Office Action admits that Manson fails to disclose tuning means for tuning a channel frequency that provides emergency alert signals indicating an emergency event. The Office Action further admits that Manson fails to disclose the use of a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function. (Office Action, page 2)

Manson is concerned with the insertion of messages into the overall television distribution infrastructure, not with display of messages at a user's television signal receiver or the setup or testing of that function at the television signal receiver, as is the case with the present invention.

The section of Manson cited by the Office Action, Figure 4, illustrates "converting an emergency alert message received by a conventional EAR system into a digital emergency alert message for delivery to a digital subscriber television system." (Manson, column 4, lines 47-40) Element 402, refers to reception of an Emergency Alert Message (EAM) by existing Emergency Alert System (EAS) equipment in the television signal distribution system. Figure 4 does not, however, describe receipt of an EAM by the television signal receiving apparatus. Figure 4 ends with step 414, related to transmission of the EAM to an application server 203, and therefore does not describe signal reception or detection at the television signal receiver. (Manson, column 5, lines 5-6)

Therefore, it is respectfully asserted that Manson, as admitted by the Office Action fails to disclose "a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function" as described in currently amended claim 1.

Ganzer teaches a "geographically specific emergency alert system includes a code generator unit in which geographic areas to be alerted and types of severity of alerts are selected and code strings generated to represent the affected areas and alert types selected. The code strings are broadcast by modulating the audio carrier of a television signal and received on receiver units positioned in areas within the broadcast market of a television station providing the alerting service. Location codes or entered into the receiver units by the users according to the areas in which the receiver units are used. When an

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alert is broadcast, each receiver unit decodes a location code string in the signal. If it matches that set on the receiver, an alert code string is decoded to activate a alarm devices connected to the receiver, such as an audible alarm generator, LED, etc., in accordance with the type or severity of alert that was broadcast." (Ganzer Abstract)

The Office Action asserts that Ganzer "teaches in (column 2 lines 35-38) of a tuner." The cited portion of Ganzer states, "Receiver units for use in the system include television tuner circuitry tuned to the channel number of the station providing the service and demodulates the received signal to recover the encrypted composite code string." (Ganzer, column 2, lines 35-38)

The Office Action does not assert that Ganzer describes "a single user input button for receiving tactile user inputs to control said emergency alert function." Further Applicant was unable to locate any reference to such an interface. Therefore, it is respectfully asserted that Ganzer, like Manson, fails to disclose "a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function" as described in currently amended claim 1.

Naidoo teaches "an integrated home health system includes a television-based patient station, a first provider station for providing telemedicine or other healthcare services to a patient located at the patient station, a second provider station for providing caregiver services to the patient, a third provider station for providing emergency response services to the patient and a system management station coupled together by a data network. In addition to various management operations performed on behalf of the integrated home health system, the system management station is further configured to provide various home health services to the patient located at the patient station, either alone, or in conjunction with one or more of the first, second and/or third provider stations." (Naidoo Abstract)

The Office Action asserts that Naidoo discloses "the use of a button as a human interface of a emergency response unit (Column 18 lines 34-37)." (Office Action, page 2) Applicant notes that the phrase "emergency response unit," used by Examiner is not used in the claims of the present invention. Further, Applicant respectfully notes that the claims of the present invention are more restrictive than "the use of a button," as phrased by the

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Examiner. The present claimed invention describes use of "a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function."

The cited portion of Naidoo states, "If so, the patient located at the patient station 12 replies to 35 or otherwise acknowledges the remainder message using the patient interface device 52, for example, by actuating a "reminder received" button on the patient interface device 52." (Naidoo, column 18, lines 34-37)

Naidoo does not disclose an emergency alert function as described in the present claimed invention, nor the use of a single button interface. Instead, Naidoo describes a local patient monitoring system not related to broadcast of emergency alerts, with no such restrictions on user interface. Furthermore, in column 11, lines 45-50, Naidoo describes the patient interface device as a "hand-held infra-red remote," implying a device with more than one button. Also, the specification of a "reminder received" button in the portion of Naidoo cited by Examiner implies the existence of other buttons with other functions, such as the "home health system display button" referenced in Naidoo column 27, line 23.

Therefore, it is respectfully asserted that Manson, Ganzer, and Naidoo, alone or in combination, fail to disclose "a single user input button for receiving tactile user inputs to control said emergency alert function, wherein said single user input button is the only tactile user input means integral with said apparatus that is capable of controlling said emergency alert function" as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Manson, Ganzer, and Naidoo, alone or in combination, that makes the present invention as claimed in claim 1 unpatentable. It is further submitted that currently amended independent claim 8 and independent claim 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, and 16-21 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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